

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

CARL HIGBIE, JOSEPH HARRIS, and  
MICHAEL VOTRUBA,

*Plaintiffs,*

**DECLARATION OF  
AZARIA FERGUSON**

-against-

24-CV-174

STEVEN G. JAMES, in his official capacity as  
Superintendent of the New York State Police, KYLE  
BOURGAULT, in his official capacity as Sheriff of  
Rensselaer County, New York, DONALD J. KRAPF,  
in his official capacity as Sheriff of Columbia County,  
New York, and JOHN DOES 1-10,

MAD/TWD

*Defendants.*

---

Azaria Ferguson hereby declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am an Investigative Analyst in the Office of the New York State Attorney General, who represents Defendant Steven G. James, sued in his official capacity as Superintendent of the New York State Police, in this matter.
2. With my colleague, Legal Support Analyst Labiba Hasan, I contacted police departments and sheriff's offices in each of New York's 62 counties to inquire regarding whether they accept pistol permit applications from out-of-state applicants that are not principally employed in New York and do not have a principal place of business in New York.
3. Eight counties (Broome County, Franklin County, Hamilton County, and the five counties that make up New York City – Bronx, Kings, New York, Queens, and Richmond Counties) said that they do accept such applications.
4. Each county noted that although the application will be accepted, the ultimate decision as to whether a permit is issued is up to the judge or licensing officer.

5. 40 counties (Albany, Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Delaware, Erie, Essex, Fulton, Genesee, Greene, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Nassau, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Rockland, Saratoga, Schuyler, Seneca, Suffolk, Tioga, Tompkins, Ulster, Warren, Washington, and Wayne counties) said that they do not accept such applications.

6. 10 counties (Dutchess, Monroe, Orange, Putnam, Schenectady, Schoharie, St. Lawrence, Sullivan, Westchester, and Wyoming Counties) did not respond to the inquiry.

7. We did not separately inquire as to Columbia and Rensselaer Counties due to their participation in the litigation.

I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct.

Dated: New York, New York  
February 14, 2025

  
Azaria Ferguson